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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,221	11/12/2003	Heiko Taxis	15111-000166	6314

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EXAMINER

STEPHEN, EMEM O

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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09/20/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/706,221	Applicant(s) TAXIS, HEIKO	
	Examiner EMEM EKONG	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/28/2007 has been entered.

Specification

2. The abstract of the disclosure is objected to because it includes legal phraseology, such as "said". Correction is required. See MPEP § 608.01(b).

Response to Arguments

3. Applicant's arguments 04/03/2007 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 1, 3, 10-12, 13, 15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gortz et al. in view of U. S. Patent No. 6,140,593 to Bramesfeld et al.

Regarding claim 1, Gortz et al. discloses driver information system (col. 1 lines 13-25) comprising an operating device having at least two operational control units and a holding unit with a number of operational control slots each adapted to receive one of the operational control units (see figure 2, col. 1 lines 20-26, and col. 4 lines 3-4), and a control device for validating control signals delivered by the operational control units (col. 4 lines 1-4, tactile/haptic driver), each of said operational control units comprises a transmitting unit, and said control device is associated with a receiving unit in order to receive the control signals provided by the transmitting unit (col. 5 lines 59-61). However, Gortz et al. fails to disclose wherein said operational control units are interchangeably arranged in the slots of holding device. Bramesfeld discloses wherein said operational control units are interchangeably arranged in the slots of holding device (see figs.1-2, and col.2 lines 55-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to substitute the interchangeably operational control units of

Bramesfeld in the invention of Gortz et al for the purpose of meeting the vehicle occupant's choice.

Regarding claim 3, the combination of Gortz et al. and Bramesfeld discloses the driver information system of claim 1, wherein the transmitting unit transmits said control signals optically to the receiving unit (col. 2 lines 61-64, col. 4 lines 1-4, 13-14, and claim 5).

Regarding claim 10, the combination of Gortz et al. and Bramesfeld discloses the driver information system of claim 1; wherein said operation control unit is one of an operating element, volume control element, a hard-key element etc (col. 1 lines 20-25).

Regarding claims 11 and 15, the combination of Gortz et al. and Bramesfeld discloses the driver information system of claim 1, wherein operational control units comprise identical cover plates (Bramesfeld, see figs. 1-2), said control signals include identification information identifying each of the operational control units to enable the control device to assign the control signals to the respective transmitting operational control unit (Bramesfeld, col. 2 lines 40-54).

Regarding claim 13, Gortz et al. discloses driver information system (col. 1 lines 13-25) comprising an operating device having at least two operational control units and a holding unit with a number of operational control slots each adapted to receive one of

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the operational control units (see figure 2, col. 1 lines 20-26, and col. 4 lines 3-4), and a control device for validating control signals delivered by the operational control units (col. 4 lines 1-4, tactile/haptic driver), wherein each of said operational control units comprises a transmitting unit for transmitting said control signals optically (col. 2 lines 61-64, col. 4 lines 13-14, and claim 5), and said control device is associated with a receiving unit, in order to receive the control signals provided by the transmitting unit (col. 4 lines 1-4, tactile/haptic driver interface).

However, Gortz et al. fails to disclose said operational control units being interchangeably arranged in any one of the slots of the holding device.

Bramesfeld discloses operational control units being interchangeably arranged in any one of the slots of the holding device (see figs. 1-2, and col. 2 lines 55-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to substitute the interchangeably operational control units of Bramesfeld in the invention of Gortz et al for the purpose of meeting the vehicle occupant's choice.

Regarding claim 17, the combination of Gortz et al. and Bramesfeld discloses control signals include identification information identifying each of the operational control units to enable the control device to assign the control signals to the respective transmitting operational control unit (Bramesfeld, col. 2 lines 40-54).

7. Claims 4, 5, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gortz et al. in view of Bramesfeld, and further in view of U. S. Patent No. 7,010,756 B2 to Nagasaka et al.

Regarding claims 4, 5, and 8, the combination of Gortz et al. and Bramesfeld discloses the driver information system of claim 2, wherein said operational control are supported movably relative to each other by the holding unit (Bramesfeld see figs.1-2, and col.2 lines 55-61). However, the combination fails to disclose wherein the receiving unit transmits said control signals via radio frequency to the receiving unit; wherein said transmitting, unit and said receiving unit are adapted for transmitting using the Bluetooth protocol; wherein said operational control are supported movably relative to each other by the holding unit.

Nagasaka et al. discloses wherein the receiving unit transmits said control signals via radio frequency; wherein said transmitting, unit and said receiving unit are adapted for transmitting using the Bluetooth protocol (col. 7 lines 12-16, and col. 9 lines 42-57). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination, and have the receiving unit transmit control signals via radio frequency to the receiving unit; wherein said transmitting, unit and said receiving unit are adapted for transmitting using the Bluetooth protocol; and wherein said operational control are supported movably relative to each other by the holding unit as disclosed by Nagasaka et al. for the purpose of the components communicating with each other.

8. Claims 6, 7, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gortz et al. in view of Bramesfeld, and further in view of U. S. Patent No. 5,528,235 to Lin et al..

Regarding claims 6, 7, and 9, the combination of Gortz et al. and Bramesfeld discloses the driver information system according to claim 1, however, the combination fails to disclose wherein the holding unit comprises preset number of operational control slots, which are each adapted to receive operational control units,

wherein each operational unit comprises at least one frame connector which is insertable in an edge-socket-connector provided in each said operational control slot, the control signals being transmitted by wire via said connector-socket connection;

wherein each operational control unit comprises a mounting member provided at a operational control unit slot and engaging said mounting member detachably.

Weisshaar et al. discloses wherein the holding unit comprises preset number of operational control slots, which are each adapted to receive operational control units (see figure1); wherein each operational unit comprises at least one frame connector which is insertable in an edge-socket-connector provided in each said operational control slot, the control signals being transmitted by wire via said connector-socket connection (col. 5 lines 44-54); wherein each operational control unit comprises a mounting member provided at a operational control unit slot and engaging said mounting member detachably (see figure 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination, and have the holding unit comprises

preset number of operational control slots, which are each adapted to receive operational control units each operational unit comprises at least one frame connector which is insertable in an edge-socket-connector provided in each said operational control slot, the control signals being transmitted by wire via said connector-socket connection; wherein each operational control unit comprises a mounting member provided at a operational control unit slot and engaging said mounting member detachably as disclosed by Weisshaar et al. for the purpose of communicating signals.

9. Claims 12, 14, 16, and 18 rejected under 35 U.S.C. 103(a) as being unpatentable over Gortz et al. in view of U. S. Patent No. 4,366,482 to Remes et al., and further in view of Bramesfeld.

Regarding claim 12, Gortz et al. discloses driver information system (col. 1 lines 13-25) comprising an operating device having at least two operational control units and a holding unit with a number of operational control slots each adapted to receive one of the operational control units (see figure 2, col. 1 lines 20-26, and col. 4 lines 3-4), and a control device for validating control signals delivered by the operational control units (col. 4 lines 1-4, tactile/haptic driver), and said control device is associated with a receiving unit, in order to receive the control signals provided by the transmitting unit (col. 4 lines 1-4, tactile/haptic driver interface). However, Gortz et al. fails to disclose wherein each of said operational control units comprises a transmitting unit for transmitting said control signals wirelessly.

Remes et al. discloses wherein each of said operational control units comprises a transmitting unit for transmitting said control signals by radio frequency (col. 2 line 65-col. 3 line 30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Gortz et al., and have the operational control units comprise a transmitting unit for transmitting said control signals by radio frequency as disclosed by Remes et al. for the purpose of the communicating signals.

However, Remes et al. fails to disclose wherein said operational control units being interchangeably arranged in any one of the slots of the holding device.

Bramesfeld discloses operational control units being interchangeably arranged in any one of the slots of the holding device (see figs.1-2, and col.2 lines 55-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to substitute the interchangeably operational control units of Bramesfeld in the invention of Remes et al for the purpose of meeting the vehicle occupant's choice.

Regarding claim 14, Gortz et al. discloses driver information system (col. 1 lines 13-25) comprising an operating device having at least two operational control units and a holding unit with a number of operational control slots each adapted to receive one of the operational control units (see figure 2, col. 1 lines 20-26, and col. 4 lines 3-4), and a control device for validating control signals delivered by the operational control units(col. 4 lines 1-4, tactile/haptic driver), said operational control units being freely arrangeable with respect to the slots of the holding device (see figure 2), and said control device is

associated with a receiving unit, in order to receive the control signals provided by the transmitting unit (col. 4 lines 1-4, tactile/haptic driver interface).

However, Gortz et al. fails to disclose wherein each of said operational control units comprises a transmitting unit for transmitting said control signals optically.

Remes et al. discloses wherein each of said operational control units comprises a transmitting unit for transmitting said control signals by radio frequency (col. 2 line 65- col. 3 line 30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Gortz et al., and have the operational control units comprise a transmitting unit for transmitting said control signals by radio frequency as disclosed by Remes et al. for the purpose of the communicating signals.

However, Remes et al. fails to disclose wherein said operational control units being interchangeably arranged in any one of the slots of the holding device. Bramesfeld discloses operational control units being interchangeably arranged in any one of the slots of the holding device (see figs.1-2, and col.2 lines 55-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to substitute the interchangeably operational control units of Bramesfeld in the invention of Remes et al for the purpose of meeting the vehicle occupant's choice.

Regarding claims 16 and 18, the combination of Gortz et al., Remes et al., and Bramesfeld discloses control signals include identification information identifying each of

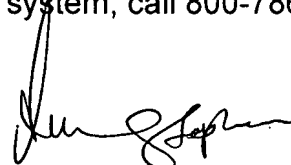
the operational control units to enable the control device to assign the control signals to the respective transmitting operational control unit (Bramesfeld, col. 2 lines 40-54).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EMEM EKONG whose telephone number is 571 272 8129. The examiner can normally be reached on 8-5 Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571 272 7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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